

### **REMARKS**

The applicant has had an opportunity to carefully consider the Examiner's Office Action of March 26, 2003 and believes this amendment is fully responsive to every point raised by the Examiner. Reconsideration of the application, as amended is respectfully requested. Claims 1-20 remain in the application after this amendment is entered.

### **THE OFFICE ACTION:**

The drawings are objected to under 37 C.F.R. 1.83(a) with regard to certain terms recited in claims 3-6, 12, and 14

Claims 2, 4-10, 12, and 13 stand rejected under 35 U.S.C. § 112, second paragraph for indefiniteness.

Claims 1-8 and 11-13 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,710,760 to Moll.

Claim 14 stands rejected under 35 U.S.C. § 103(a) as obvious over Moll in view of U.S. Patent No. 5,506,847 to Shobatake.

Claims 9 and 10 are identified as containing allowable subject matter.

### **THE NON-ART OBJECTIONS AND REJECTIONS:**

#### **The Drawings Show of Every Feature of the Invention Specified in the Claims.**

The Examiner has objected to the drawings under 37 C.F.R. 1.83(a). More specifically, the Examiner states that "interworking facility, IPDC, egress port, and routing table" must be shown in the drawings or canceled from claims 3-6, 12, and 14.

The "interworking facility" has been changed to "interwork unit" in the amended claims. The packet switching gateway 113 is shown in Fig. 1. The originally filed specification states that the packet switching gateway 113 may also be referred to as the interwork unit (see page 8, line 3). Hence, the drawings show the interwork unit feature of the invention specified in the claims.

Claims 3 and 14 have been amended to recite that the interwork unit provides an IPDC capability. Fig. 3 shows Q.931 messages communicated between the 5E core 102 and the ATM multiplexer 116. The originally-filed specification identifies

that Internet Protocol Device Control (IPDC) may be used for these communications instead of Q.931 (see page 9, lines 13-16). Hence, the drawings show the IPDC feature of the invention specified in the claims.

The originally-filed specification identifies the egress port 114 at page 9, lines 1-5. Figs. 1 and 2 show the egress port 114. Hence, the drawings show the egress port feature of the invention specified in the claims.

The originally-filed specification identifies the IP router 112 and its routing table on page 11, lines 22-25. The originally-filed specification also stated that the IP router, as illustrated in Fig. 4, is one embodiment of the packet switching gateway 113. As amended, Fig. 4 now identifies the IP router 112 and routing table 117 as identified and described in the originally-filed specification. Hence, the drawings show the routing table feature of the invention specified in the claims.

**Claims 2, 4-10, 12, and 13 Particularly Point Out and Distinctly Claim Subject Matter the Applicant Regards as the Invention.**

The Examiner rejected claim 2 for indefiniteness due to insufficient antecedent basis for "the hardware connection" in line 5.

As amended, claim 2 now recites "the communications path" rather than the "hardware connection." Proper antecedent basis for the communications path is provided in step (A) of claim 1. Therefore, this rejection for indefiniteness is no longer appropriate.

The Examiner rejected claim 4 due to insufficient antecedent basis for "the packet identifying" in lines 5-6.

The applicant respectively disagrees. In line 5 of claim 4, "a packet" establishes proper antecedent basis for "the packet" in line 6. Therefore, this limitation in claim 4 is not indefinite.

The Examiner rejected claim 12 due to insufficient antecedent basis for the limitations "the circuit switching device" in line 5 and "the packet identifying" in line 6.

As amended, claim 12 recites "the circuit switching component" at line 5 rather than "the circuit switching device." Proper antecedent basis for the circuit

switching component is provided in line 2 of claim 12. Therefore, this rejection for indefiniteness is no longer appropriate.

As for "the packet identifying," the applicant respectfully disagrees with the Examiner. Proper antecedent basis for "the packet" in line 6 is provided by "a packet" in lines 5-6 of claim 12. Therefore, this limitation is not indefinite.

#### **THE ART REJECTIONS:**

##### **Claims 1-8 and 11-13 Patentably Distinguish Over Moll.**

The Examiner has rejected claims 1-8 and 11-13 under 35 U.S.C 102(b) as anticipated by Moll. In support, the Examiner states "Moll teaches a method for controlling a loopback test in an ATM network, which is interpreted as a method of testing telecommunications systems, which include both circuit switching and packet switching components."

Applicant respectfully disagrees. The originally-filed application provides the following definition for "circuit switching" at page 2, lines 15-18:

"Such direct electrical connection of two or more channels between two points (at least one channel in each direction), a connection that provides a user with exclusive use of the channels to exchange information, is referred to as circuit switching, or line switching."

Additional discussion of circuit switching is found in the originally-filed application, for example, at page 2, line 18 to page 3, line 1. In this area, time division multiplexing (TDM) is identified as an example of circuit switching design and Lucent's 5ESS switch is identified as a commercial example of circuit switching. The originally-filed application goes on to distinguish circuit switching and packet switching. An example of packet switching identifies the use of asynchronous transfer mode (ATM) techniques (see page 3, lines 12-16).

In contrast, Moll discloses a system for providing an externally controlled loopback test between points in an ATM network. Notably, Moll does not disclose the loopback testing through a circuit switching component, a line switching component, a time division multiplexing (TDM) component, or a 5ESS switch

component in combination with the ATM network. Therefore, Moll does not anticipate claims 1, 3, and 4 which are directed to methods of testing telecommunications systems that include both circuit switching and packet switching components. Additionally, Moll does not anticipate claims 11 and 12 directed to telecommunications systems including a circuit switching component and a packet switching component. Moreover, Moll does not anticipate claims depending from the above-identified independent claims. Therefore, the applicant submits that claims 1-8 and 11-13, as amended, are currently in condition for allowance.

**Claim 14 Patentably Distinguishes over Moll in View of Shobatake.**

The Examiner has rejected claim 14 under 35 U.S.C. 103(a) for obviousness over Moll in view of Shobatake for obviousness. In support, the Examiner states "Moll teaches a method for controlling a loopback test in an ATM network, which is interpreted as a method of testing telecommunications systems that include both circuit switching components." While the Examiner acknowledges that Moll fails to teach the E.164 address, he goes on to state that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize the E.164 ATM address taught in Shobatake to identify the telephone numbers in international format.

The applicant respectfully disagrees. First, claim 14 is directed to a method of testing telecommunications systems that includes both circuit switching and packet switching components and is thereby distinguished from Moll for the same reasons identified above with regard to claims 1-8 and 11-13. Moreover, it would not have been obvious to combine Shobatake with Moll because Shobatake does not disclose of fairly suggest any type of loopback testing in telecommunications systems. Therefore, Shobatake is not analogous to loopback testing. Based on the foregoing, applicant submits that claim 14, as amended, is currently in condition for allowance.

**CONCLUSION**

In view of the above amendments and remarks, the applicant submits that the present application is in condition for allowance. Notice of such allowance is hereby respectfully requested.

Respectfully submitted,  
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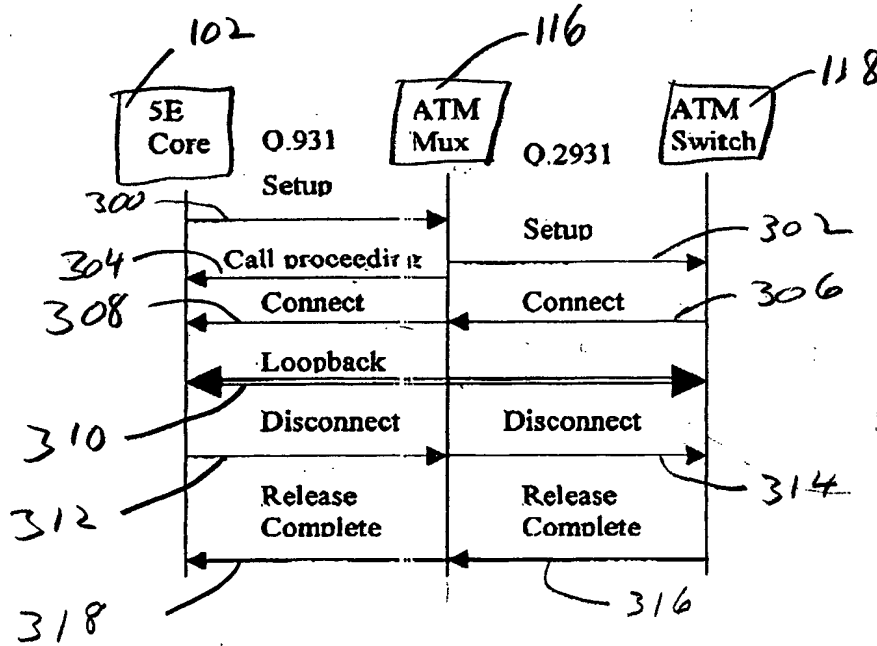


Figure 3

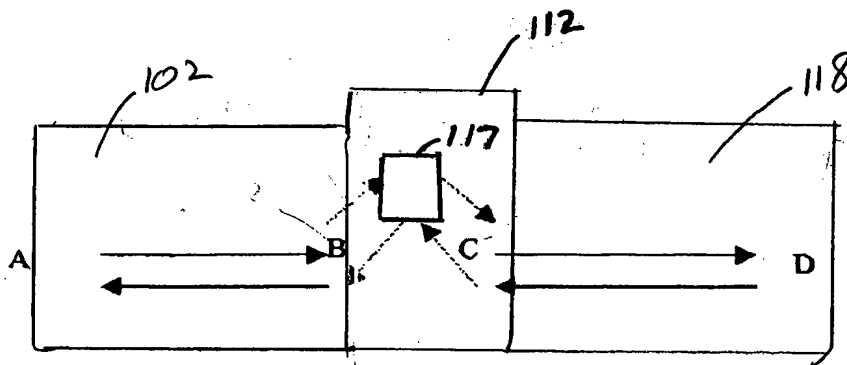


Figure 4

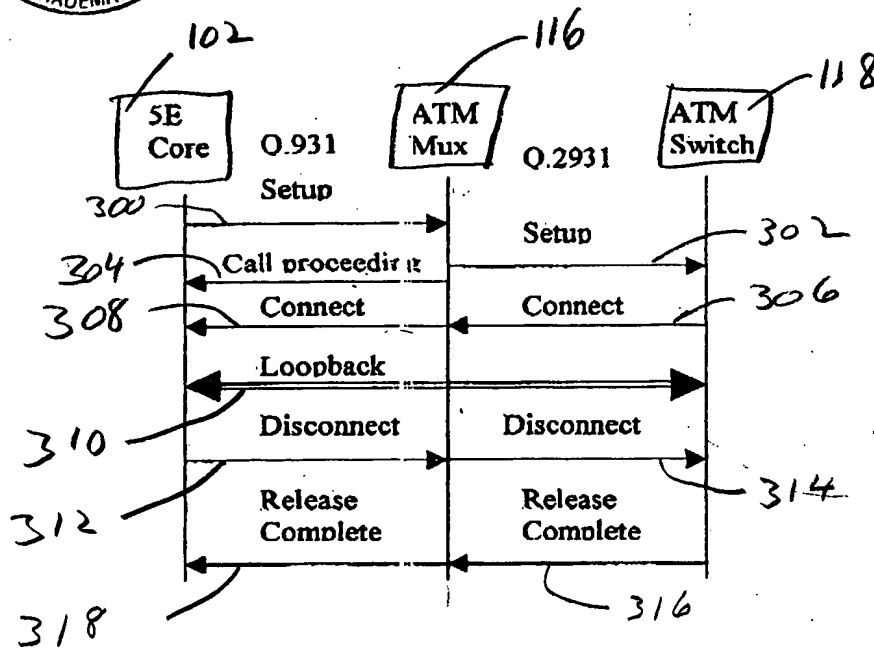


Figure 3

Change 116 to 112.  
 Delete "modem pool" text.  
 Add block 117 inside block 112.

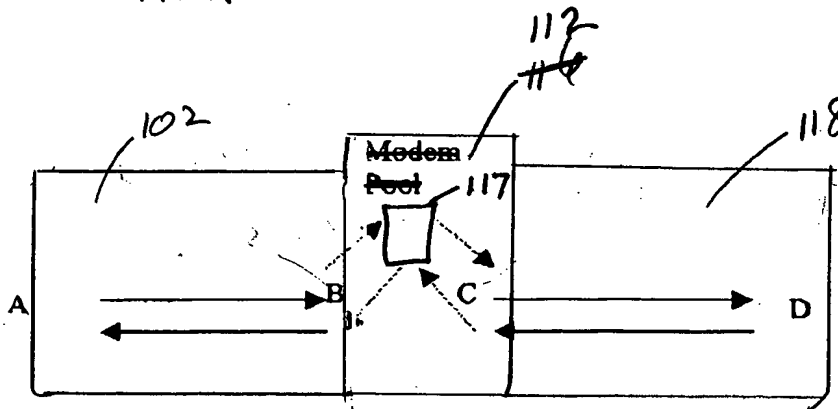


Figure 4

ywhan  
ywhan

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Banuser	
Jobname	ywhan
Dest	ihprt/ihpost2
Account	
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Copy	1 of 1
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